

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00283

ANTONIO COLLINS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On December 9, 2015, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Antonio Collins, appeared in person and by his counsel, Christian M. Capece, Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a three-year term of supervised release in this action on September 20, 2012, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 26, 2010.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state crimes of attempted murder and malicious wounding inasmuch as on October 28, 2013, he entered a plea of guilty to two counts of attempted murder and two counts of malicious wounding in the Circuit Court of Kanawha County, West Virginia, for which he was sentenced on December 12, 2013, to a term of three to fifteen years, a term of six to fifteen years, and two terms of two to ten years, to run consecutively; (2) the defendant committed the federal and state offense of being in possession of a firearm as a convicted felon on April 20, 2013, at the time of the commission of the above-noted offenses, as evidenced by his admission on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; (3) the defendant traveled out of the judicial district without permission inasmuch as he was arrested in Columbus, Ohio, on April 20, 2013; (4) the defendant used and possessed marijuana as evidenced by positive urine specimens submitted by him on January 25, February 7, February 20 and March 5, 2013; and (5) the defendant failed to appear for

urine screens as directed on February 13, March 13 and 28, 2013; all as admitted by the defendant on the record of the hearing with the exception of (2) as set forth above and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

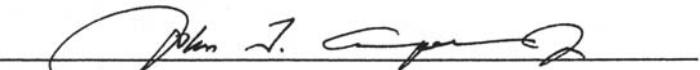
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWENTY-FOUR (24) MONTHS, to run consecutively to the undischarged state sentence he is currently serving.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that, once the defendant enters the federal prison system, he be afforded the benefit of a medical/psychological evaluation and receive such treatment as may be deemed appropriate.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 17, 2015

  
John T. Copenhaver, Jr.  
United States District Judge